

REMARKS

In the office action mailed on March 19, 2008, all claims were rejected as anticipated under 35 U.S.C. §102(a) over US Patent No. 5,680,392 to Seeman et al (“Seeman”), except for claim 30 which was rejected as obvious under 35 U.S.C. §103 in view of an additional reference. Independent claims 1 and 37 have been amended to further clarify differences between claimed embodiments and Seeman, and as amended are allowable. The rejection of independent claim 31 is traversed.

Importantly, Seeman teaches a *reservation system* for *reserving* MCU and other resources useful to conduct audio and video conferences. This is different than many claimed embodiments, which are directed to methods, systems and program products for *organizing* virtual meetings (as opposed to making “reservations”). The claims require more or different elements than what is disclosed by Seeman’s teaching of “reserving” an MCU.

Because it is directed to making *reservation*, Seeman does not disclose or suggest multiple elements recited by the claims, including allocating resources for the meeting *after* a request to join the meeting has been received as recited by some but not all claims), determining bandwidth *available* for a particular user (as recited by some but not all claims), and steps related to *two different* meetings that are occurring at least partially concurrently (as recited by some but not all claims). These and other differences between Seeman’s disclosure and the claimed embodiments are discussed below.

A. INDEPENDENT CLAIMS 1 AND 31 AND ALL CLAIMS DEPENDING THEREFROM ARE ALLOWABLE

A.1 SEEMAN FAILS TO DISCLOSE ALLOCATING A NETWORK INTERFACE LOCATION FOR A MEETING AFTER RECEIVING A FIRST REQUEST TO JOIN THE MEETING AS RECITED BY CLAIMS 1 AND 31

Independent claims 1 and 31 stand rejected as anticipated over Seeman. These claims include multiple elements not disclosed or suggested by Seeman, and are therefore allowable. For example, claim 1 has been amended to include the limitations of former dependent claim 18 (which has been cancelled). Claim 1 as amended recites that network resources are allocated *after* receiving a request to join the meeting. Similarly, independent claim 31 recites, among other elements, that a network interface location for the meeting be allocated *after* a first request to enter the meeting is received.

Because both of these claims recite that an interface is allocated only *after* the meeting is actually requested to begin, no network interface is “reserved.” As explained in the specification, this has been discovered to offer particular advantages and benefits over the prior art:

In this manner the exemplary method of the invention *only allocates a meeting address at the beginning of the meeting*. That is, only when a first attendee requests entry to the meeting is the meeting address allocated. Second and subsequent attendees are then linked to that allocated address. *It has been discovered that these preferred steps are advantageous for purposes of allowing meeting addresses to remain freely available until required. When resources are limited, this may be of particular benefit.*

Page 11, line 7 – line 14.

Seeman fails to disclose these recited elements of claims 1 and 31, and in fact teaches away from them. As indicated by the title of Seeman (“Multimedia Multipoint Telecommunications Reservation Systems”), it is entirely directed to methods for making *reservations* and *reserving* network resources, including a network interface (which is accepted to be an MCU only for the sake of argument) in advance of a meeting. For example; “It is a further object of the invention to provide a ... *reservation system* which will permit

any multimedia user to *reserve* the resources of one or more MCU's for a multi-media conference." Col. 2, lines 48-52 (emphasis added).

It is noted that original claim 18 included a limitation similar to this element of claims 1 and 31. The Office Action cited col. 6, lines 20-52 of Seeman to reject claim 18. This section of Seeman, however, makes no such disclosure and instead describes various steps performed to *reserve* MCU resources in advance of a meeting: "...the reservation controller ... will make a determination as to whether the necessary MCU resources *will be available* for the ... time requested. If so, the reservation controller will confirm the *reservation*..." Col. 6, lines 24-28 (emphasis added).

Accordingly, Seeman teaches *reserving* particular MCU resources in advance of a meeting and fails to disclose or suggest the recited elements of claims 1 and 31 including allocating a network interface *only after* a request to join the meeting has been received. Claims 1 and 31 are therefore allowable. Should the rejection of claim 31 not be withdrawn, clarification is requested regarding how the cited portion of Seeman discloses the claimed element.

A.2 SEEMAN FAILS TO DISCLOSE OR SUGGEST COMMUNICATING A MEETING INVITATION THAT INCLUDES A MEETING ENTRY PORTAL AS RECITED BY CLAIMS 1 AND 31

In addition to the above noted shortcoming of the disclosure of Seeman, several other elements recited by claims 1 and 31 are not disclosed or suggested by Seeman. For example, claims 1 and 31 recite that a meeting invitation including a meeting entry portal be communicated to the attendees. Seeman fails to disclose or suggest this claimed element.

The Office Action cites column 8, lines 51-64 as disclosing this element. It is submitted that this is incorrect – no such disclosure is made. Should this rejection be maintained, further clarification is requested as to what specific portion of this cited section of Seeman is being relied on. Other portions of Seeman make clear that no meeting invitation including a meeting entry portal is communicated to users.

As discussed above, Seeman teaches that at least some users are called from the MCU to initiate a conference: "...a list of users that will be automatically called when the conference is created." Col. 8, lines 58-59. Since they are called from the MCU, there is no need for them to know an entry portal, much less a need to communicate an executable invitation file to them including an entry portal.

Seeman additionally teaches that users are "attached" to a permanent reservation domain, that all conferencing will occur over this known domain, and that users *must know* the address of the reservation domain: "(users) *must know* the address of the reservation domain and must attach themselves to the reservation domain ... Once attached to the reservation domain, the user can make a reservation request by sending the reservation request onto the request channel ... In the situation where multiple reservation controllers are provided ... the user calls the address domain of the 'local' reservation controller in order to attach to the reservation domain ... " col. 3, lines 35-60 (emphasis added).

It is noted that the present invention contemplates that the entry portal may be distinct from the network interface or ultimate network address at which attendees are linked: "Also, use of a meeting entry portal that is separate from the meeting address at which the meeting will be conducted has been found to offer benefits and advantages. The meeting entry portal can be constant from meeting to meeting, while the meeting address for the meetings is not required to be." Specification, page 11, line 14 – line 17.

Seeman teaches a method wherein users must know the address of their local MCU. This is very different from the claimed embodiment wherein an invitation file is communicated to attendees that identifies an entry portal.

B. SEEMAN FAILS TO DISCLOSE THE RECITED STEPS OF CLAIM 37

Independent claim 37 stands rejected as anticipated over Seeman. Claim 37 has been amended to clarify some aspects of a claimed embodiment

as compared to Seeman. Amended claim 37 includes multiple steps not disclosed or suggested by Seeman.

It is noted that this is a similar limitation to original claim 7. In rejecting that claim, the Office Action cited a portion of Seeman that only discloses “subconferencing” between two attendees present in a larger conference: “if subconferencing is enabled, two or more participants to a conference will be able to initiate a ‘private’ conference while they are still members of the initial conference.” Col. 9, lines 6-9. Claim 37 has been amended to clarify that the first and second meetings cannot be sub-conferences of one another – all of the attendees at either of the first and second meetings are not present at the other. This condition necessarily cannot be met by the “subconferencing” disclosed by Seeman.

Claim 37 further recites a step of determining whether any linkages connecting different users to different meetings are being shared, and if so determining what bandwidth is available over the linkages. As discussed on page 13, lines 2-16 of the specification, this step is different than determining what bandwidth will be *consumed* by the meeting. Instead, this claimed step measures bandwidth “available” over the linkages – not the bandwidth “necessary.” Seeman fails to disclose or suggest this step.

It is noted that dependant claim 8 includes a similar limitation. In rejecting this claim, the Office Action cites portions of Seeman that discuss determining what MCU and other resources will be “necessary” for a particular meeting: “...and the resources necessary for the conference.” Col. 6, lines 12-13. These portions of Seeman do not disclose determining what bandwidth is available (as opposed to “necessary”) over particular linkages, much less over only linkages that will be shared by attendees of different meetings.

For these and other reasons, claim 37 is allowable.

C. SEVERAL DEPENDANT CLAIMS ARE ALLOWABLE ON AN INDEPENDENT BASIS.

All the independent claims in their current form are allowable for the reasons discussed above. As a result, all of the dependent claims are also allowable. Several of these claims are allowable for other reasons as well. It is also noted that several dependant claims have been amended to correspond to the newly amended independent claims from which they depend. These amendments are not directed to patentability.

C.1 SEEMAN FAILS TO DISCLOSE DETERMINING AVAILABLE BANDWIDTH AS RECITED BY CLAIMS 6, 11, 12, 34 AND 35

Claims 6 and 11 recite determining the total bandwidth available to communicate with the at least one meeting attendee. As amended, claim 12 recites a step of determining the total available bandwidth of each of the plurality of meeting attendees. Claims 34 and 35 likewise recite that the computer program product causes the computer to perform a step of determining the bandwidth available to communicate with each of the plurality of meeting attendees. Claim 6 has been amended to further recite that the determination is made by considering whether additional traffic unrelated to the virtual meeting will be carried over a linkage connecting said at least one meeting attendee to the virtual meeting. Support for this can be found at, among other locations, page 13, lines 3-17 of the specification.

As discussed above with respect to claim 37, it is important to appreciate that these steps do not refer to determining bandwidth “*required*” but instead bandwidth “*available*.” These are very different steps. Seeman fails to disclose determining bandwidth *available*, but instead discusses bandwidth *required*. Claims 6, 11, 12, 34 and 35 are therefore allowable.

C.2 SEEMAN FAILS TO DISCLOSE STEPS RELATED TO TWO DIFFERENT VIRTUAL MEETINGS AS RECITED BY CLAIMS 7, 8, 10 AND 36.

Claims 7, 8, 10 and 36 include recitations directed to two different meetings occurring. Each claim has been amended to make clear that the two different meetings are not “subconferences” of one another – all of the attendees at either of the first or second meeting cannot be present at the other. Seeman fails to disclose or suggest this step.

In rejecting these claims, the Office Action cited a portion of Seeman that only discloses “subconferencing” between two attendees at a larger conference: “if subconferencing is enabled, two or more participants to a conference will be able to initiate a ‘private’ conference while they are still members of the initial conference.” Col. 9, lines 6-9. This is different than the claimed configuration of claims 7, 8, 10 and 36. Each of these claims requires that an attendee at one of the two meetings not be present at the other – this condition necessarily cannot be met by the “subconferencing” disclosed by Seeman.

C.3 SEEMAN FAILS TO DISCLOSE DETERMINING SHARED LINKAGES AS RECITED BY CLAIM 9

Claim 9 recites steps of determining what linkage each of the plurality of attendees is connected to the meeting over and of determining whether any additional of the attendees are connected to the meeting over the linkage. Put another way, claim 9 requires identifying a common shared linkage that will be used by more than one of the attendees. Seeman fails to disclose or suggest this step. Col. 12, lines 15-54 has been cited in the rejection of this claim. Careful review of this portion of Seeman, however, confirms that it only discloses the use of so-called “static” or “dynamic” linkages with users. No disclosure of identifying a shared linkage is made, however. Should this rejection not be withdrawn, clarification is requested as to what in particular is being cited to disclose this limitation.

C.4 SEEMAN FAILS TO DISCLOSE OR SUGGEST AN EXECUTABLE MEETING INVITATION AS RECITED BY CLAIM 14

Claim 14 requires a step of communicating a meeting invitation to at least one attendee over the network that include at least a meeting date, a meeting start time, a meeting code, a meeting entry portal. Further, the invitation is an executable file that upon execution takes all steps necessary to connect to the virtual meeting. Seeman fails to disclose or suggest this required element.

In rejecting claim 14, the Office Action alleged that Seeman disclosed communicating an executable file invitation to attendees at column 8, lines 57-59. This cited portion of Seeman, however, makes no such disclosure and instead indicates that Seeman teaches away from this claimed element since it discloses calling conference attendees from the MCU: “The three lists preferably include a list of users that *will be automatically called when the conference is created...*” Col. 8, lines 57-58 (emphasis added). Accordingly, instead of communicating an executable file to users that when executed by the user connects the user to the conference, Seeman teaches a different approach that includes one or more lists of attendees being centrally stored and users on a list being “... *automatically called* when the conference is created.” Id. Seeman therefore does not disclose or suggest the limitation of claim 14 of an executable invitation file that takes steps to connect to the meeting from the attendee, and it is therefore allowable.

C.5 SEEMAN FAILS TO DISCLOSE A URL MEETING ENTRY PORTAL AS RECITED BY CLAIM 27

Claim 27 recites that the meeting entry portal is a URL, and has been amended to further recite that the meeting entry portal is different from the network interface. Seeman fails to disclose this. In rejecting claim 27, the Office Action cites col. 3, lines 19-23 and col. 7, lines 42-52 of Seeman. These sections of Seeman, however, fail to disclose a URL meeting entry portal. Should this rejection not be withdrawn, clarification is requested as to how these sections can support an anticipation rejection.

D. CONCLUSION

In conclusion, all of the claims in their current form are allowable. The independent claims include limitations not disclosed or suggested by Seeman, including (but not limited to):

- Claim 1 recites allocating network resources including a network interface for connecting members *after* receiving a request to join the meeting from a first user
- Claim 1 recites sending a meeting invitation file to the attendees including an entry portal.
- Independent claim 31 recites allocating a network interface location for a meeting *after* receiving a first request to join the meeting.
- Independent claim 37 recites that at least *two different meetings* take place at least partially concurrently, and determining if any of the linkages used during the different meetings are being shared.
- Independent claim 37 recites determining bandwidth *available* (as opposed to *necessary*) over some linkages

Several dependent claims are allowable on an independent basis. Each of these claims include limitations not disclosed or suggested by Seeman. These include (but are not limited to):

- Claims 6, 11, 12, 34 and 35 that include recitations related to determining *available* bandwidth of attendees.
- Claims 7, 8, 10 and 36 that include recitations directed to *two different* meetings occurring.
- Claim 9 that recites steps of determining what linkage each attendee is connected to, and of determining whether any of these are shared linkages.
- Claim 14 recites an *executable* invitation file that performs steps required to connect to the meeting.
- Claim 27 requires a *URL meeting entry portal*.

It is noted that several dependant claims have been amended to correspond to the newly amended independent claims from which they depend. These amendments are not directed to patentability.

Timely consideration and allowance is requested.

Respectfully submitted;

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